

108TH CONGRESS
1ST SESSION

H. R. 1678

To amend title 18, United States Code, with respect to false communications about certain criminal violations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 8, 2003

Mr. SMITH of Texas (for himself, Mr. SCHIFF, Mr. BRADY of Texas, Mr. GREEN of Wisconsin, Mr. KELLER, Mr. OXLEY, Mr. WOLF, and Mr. FERGUSON) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, with respect to false communications about certain criminal violations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Anti-Hoax Terrorism
5 Act of 2003”.

6 **SEC. 2. HOAXES AND RECOVERY COSTS.**

7 (a) PROHIBITION ON HOAXES.—Chapter 47 of title
8 18, United States Code, is amended by inserting after sec-
9 tion 1036 the following:

1 **“§ 1037. False information and hoaxes**

2 “(a) CRIMINAL VIOLATION.—Whoever engages in
3 any conduct, with intent to convey false or misleading in-
4 formation, under circumstances where such information
5 may reasonably be believed and where such information
6 concerns an activity which would constitute a violation of
7 section 175, 229, 831, or 2332a, shall be fined under this
8 title or imprisoned not more than 5 years, or both.

9 “(b) CIVIL ACTION.—Whoever engages in any con-
10 duct, with intent to convey false or misleading informa-
11 tion, under circumstances where such information con-
12 cerns an activity which would constitute a violation of sec-
13 tion 175, 229, 831, or 2332a, is liable in a civil action
14 to any party incurring expenses incident to any emergency
15 or investigative response to that conduct, for those ex-
16 penses.

17 “(c) REIMBURSEMENT.—The court, in imposing a
18 sentence on a defendant who has been convicted of an of-
19 fense under subsection (a), shall order the defendant to
20 reimburse any party incurring expenses incident to any
21 emergency or investigative response to that conduct, for
22 those expenses. A person ordered to make reimbursement
23 under this subsection shall be jointly and severally liable
24 for such expenses with each other person, if any, who is
25 ordered to make reimbursement under this subsection for
26 the same expenses. An order of reimbursement under this

1 subsection shall, for the purposes of enforcement, be treat-
2 ed as a civil judgment.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of chapter 47 of title 18, United States
5 Code, is amended by adding after the item for section
6 1036 the following:

“1037. False information and hoaxes.”.

